

EXHIBIT 469

Highly Confidential - Subject to Further Confidentiality Review

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

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IN RE: NATIONAL :
PRESCRIPTION : MDL No. 2804
OPIATE LITIGATION :

: Case No.
THIS DOCUMENT RELATES : 1:17-MD-2804
TO ALL CASES : Hon. Dan A. Polster

- - -

Thursday, December 6, 2018

HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
CONFIDENTIALITY REVIEW

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Videotaped deposition of JASON BRISCOE, held
at the offices of Cavitch, Familo & Durkin,
1300 East Ninth Street, Cleveland, Ohio, commencing at
9:05 a.m., on the above date, before Carol A. Kirk,
Registered Merit Reporter and Notary Public.

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<p style="text-align: right;">Page 78</p> <p>1 So if there is something that we 2 need to take a deeper look at, there is due 3 diligence taken between pharmacy operations and 4 the store from which that anomaly showed on the 5 report, and that report would essentially 6 explain to the store, "We recognize that this 7 month for this drug family, you ordered a 8 quantity of X, and this quantity of X is greater 9 than your last 12-month monthly average. Please 10 provide me information as to how these 11 additional -- you know, or this -- this order is 12 not suspicious or this order was for legitimate 13 purposes."</p> <p>14 Q. All right. One thing I'm a little 15 confused with still is that -- so once we go 16 beyond pharmacy operations, is Mr. Nameth in 17 pharmacy operations?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And while that report is 20 being generated on a monthly basis and while 21 pharmacy operations is reviewing the anomalies 22 in that report --</p> <p>23 A. Tom?</p> <p>24 Q. Right, or yourself.</p>	<p style="text-align: right;">Page 80</p> <p>1 We've gone through two reports, 2 the six-week average report and the second 3 monthly report, controlled substance monitoring 4 report, I think. Does that name, controlled 5 substance monitoring report, anywhere -- appear 6 anywhere on that document?</p> <p>7 A. I'm going by memory alone. I 8 believe there is a header on that report, but I 9 don't recall if it's the term that I provided to 10 you earlier or a term we might have provided in 11 our request for documents. I apologize.</p> <p>12 Q. Do you know if those reports are 13 stored in any hard drive, server, somebody's 14 filing cabinet?</p> <p>15 A. I know that the top page of the 16 hard copy reports I sign off on and file away in 17 the event that the DEA would come in and ask 18 for -- you know, "Show me where you did your 19 portion of your order monitoring." And I also 20 believe -- and I think in, again, the requests 21 or the interrogatories when we described this 22 process, they are retrievable. So we could, if 23 we needed to retrospectively --</p> <p>24 Q. Go back and pull them --</p>
<p style="text-align: right;">Page 79</p> <p>1 A. Yes.</p> <p>2 Q. -- that order is then shipped to 3 the DDM pharmacy, correct, sir?</p> <p>4 A. Those orders would have been 5 shipped, yes, because that monthly report where 6 there's a retrospective view of what had 7 occurred in the previous month ...</p> <p>8 MR. JOHNSON: Peter, when you get 9 to a natural place to take a break, 10 let's take a midmorning break.</p> <p>11 MR. MOUGHEY: Sure. That's 12 perfect. I'm good now.</p> <p>13 MR. JOHNSON: Is now fine?</p> <p>14 MR. MOUGHEY: Yep. That is fine.</p> <p>15 THE VIDEOGRAPHER: Going off the 16 record at 10:17 a.m.</p> <p>17 (Recess taken.)</p> <p>18 THE VIDEOGRAPHER: Back on record 19 at 10:35 a.m.</p> <p>20 BY MR. MOUGHEY:</p> <p>21 Q. Mr. Briscoe, we've gone through 22 the --</p> <p>23 A. Exhibit 6, sir?</p> <p>24 Q. Yes, sir, still Exhibit 6.</p>	<p style="text-align: right;">Page 81</p> <p>1 A. Yes.</p> <p>2 Q. -- on a monthly basis, going back 3 to -- at least to 2006?</p> <p>4 A. I can't speak with confidence on 5 how far back we would be able to pull them, but 6 I think the answer to that is yes.</p> <p>7 Q. Okay.</p> <p>8 MR. JOHNSON: Are they -- can I 9 clarify? Are they in paper form or are 10 they electronically stored someplace?</p> <p>11 THE WITNESS: Well, part of my 12 process whenever -- my segment of the 13 overall puzzle, so to speak, I sign the 14 first page and document that I've 15 reviewed all item families at all 16 stores, and then I sign that and store 17 that page.</p> <p>18 His follow-up, I believe --</p> <p>19 MR. JOHNSON: Store it in paper?</p> <p>20 THE WITNESS: Paper.</p> <p>21 MR. JOHNSON: Okay.</p> <p>22 THE WITNESS: Yeah. Wet ink 23 signature.</p> <p>24 MR. JOHNSON: Okay. So I just</p>